

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HARRY J. COOPER,

Plaintiff,

v.

7:09-CV-0062

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

THOMAS J. McAVOY
United States District Judge

DECISION and ORDER

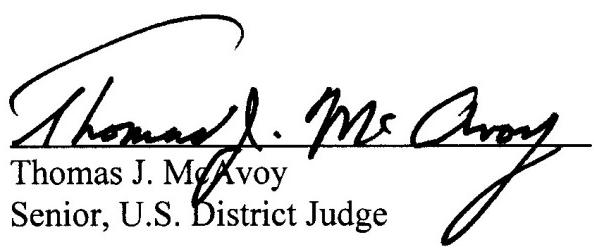
This matter brought pursuant to 42 U.S.C. §§ 405(g), 1383(c)(3), was referred to the Hon. Victor E. Bianchini, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c).

No objections to the May 27, 2010 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is, therefore, ORDERED that the Commissioner of Social Security's decision denying disability benefits be REMANDED for further proceedings in accordance with the Report-Recommendation and pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Dated:July 27, 2010



Thomas J. McAvoy
Senior, U.S. District Judge